

REMARKS

Claim 7 is pending in this application. By this Amendment, claim 7 is amended.

Support for the amendment to claim 7 can be found at, for example, page 8, lines 11-12, page 8, line 27 to page 9, line 6 and Figs. 4(a)-(b). No new matter is added. Reconsideration and prompt allowance of the application based on the above amendments and following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments:

(a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claim 7 under 35 U.S.C. §112, first paragraph. Claim 7 has been amended in view of this rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claim 7 under 35 U.S.C. §103(a) as being obvious over U.S. Patent Application Publication No. 2004/0102843 to Yagi in view of U.S. Patent No. 4,969,468 to Byers et al. (hereinafter "Byers") and U.S. Patent No. 6,720,497 to Barsne. The rejection is respectfully traversed.

Yagi fails to teach or render obvious "a plurality of signal wires which individually connects each electrode and the receiving device, the signal wires each being covered with an insulating material with high biocompatibility and having a length enough to reach each electrode stuck in the optic papilla," as recited in claim 7. The Office Action acknowledges

that Yagi fails to teach the features recited above. However, the Office Action asserts that Byers and Barsne cure the deficiencies of Yagi.

Byers fails to teach or render obvious "a plurality of signal wires which individually connects each electrode and the receiving device, the signal wires each being covered with an insulating material with high biocompatibility and having a length enough to reach each electrode stuck in the optic papilla," as recited in claim 7. Specifically, the Office Action asserts that Byers teaches the use of electrode arrays for electrically stimulating nerve fibers. Additionally, the Examiner asserts that Byers discloses a plurality of signal wires, as recited in claim 7 (Byers at col. 15, lines 4-13). However, Byers' electrode array is not equivalent to the recited plurality of wires because Byers' electrode array does not individually connect each electrode and the receiving device. Instead, Byers' teaches a two-dimensional electrode array having a plurality of electrodes that are fixedly arranged is used to electrically stimulate biological tissues (col. 1, lines 13-24). The electrode array includes an array of conductive protuberances (interdigitated needles 19, 20) that serve as electrodes (col. 5, lines 66-68 and col. 7, lines 33-39). However, Byers fails to teach a plurality of signal wires that individually connects each electrode (interdigitated needles 19, 20) with a receiving device. Additionally, Byers fails to teach that each signal wires is covered with a high biocompatibility insulating material. Instead, Byers merely teaches that the protuberances (interdigitated needles 19, 20) are covered with a passivating layer (dielectric) (col. 7, lines 24-27). Byers fails to teach a plurality of signal wires, each being covered with a high biocompatibility insulating material. Thus, Byers fails to teach or render obvious "a plurality of signal wires which individually connects each electrode and the receiving device, the signal wires each being covered with an insulating material with high biocompatibility and having a length enough to reach each electrode stuck in the optic papilla," as recited in claim 7.

Furthermore, the disclosure of Byers was not intended to be used in an eyeball. Thus, there would be no reasonable rationale for modifying Yagi based on Byers.

Barsne fails to teach or render obvious "a plurality of signal wires which individually connects each electrode and the receiving device, the signal wires each being covered with an insulating material with high biocompatibility and having a length enough to reach each electrode stuck in the optic papilla," as recited in claim 7. Specifically, the Office Action asserts that Barsne teaches a medical electrode cable having an exterior, tubular sheath (8) containing a number of adjacent wires arranged parallel to said sheath (col. 4, lines 1-20 and Fig. 1). However, the medical electrode cable of Barsne is not equivalent to the recited plurality of wires because the medical electrode cable of Barsne merely connects a device for electrical stimulation in the human body and an electrode connected to the device. Barsne does not disclose a plurality of wires that individually connects each electrode and a receiving device. Additionally, Barsne teaches that wires (10, 12 and 14) are devised as high-resistivity electrical conductor wires and wire (16) is devised as a low-resistivity electrical conductor wire (col. 4, lines 9-14). Barsne does not teach that the wires (10, 12 and 14) or wire (16) are covered with an insulating material with high biocompatibility. Additionally, Barsne does not disclose that the plurality of signal wires have a length enough to reach each electrode stuck in the optic papilla. Instead, Barsne merely discloses that the electrode cable must be designed so it has very good electrical conductivity while simultaneously displaying optimal strength, tensile strength, flexural strength, and fatigue resistance (col. 1, lines 57-60). Nowhere does Barsne disclose that the wires (10, 12, 14 and 16) have a length enough to reach each electrode stuck in the optic papilla. Thus, Barsne fails to teach or render obvious "a plurality of signal wires which individually connects each electrode and the receiving device, the signal wires each being covered with an insulating material with high

biocompatibility and having a length enough to reach each electrode stuck in the optic papilla," as recited in claim 7.

Yagi fails to teach or render obvious "a foldable tube for bundling the plurality of signal wires together into one," as recited in claim 7. The Office Action acknowledges that Yagi fails to disclose that the signal wires have first regions bundled up and second regions individually foldable between the first regions and the electrode. However, the Office Action asserts that Barsne cures the deficiencies of Yagi.

Barsne fails to teach or render obvious "a foldable tube for bundling the plurality of signal wires together into one," as recited in claim 7. Specifically, the Office Action discloses that Barsne teaches a medical electrode cable having an exterior, tubular insulating sheath (8) containing a number of adjacent wires arranged parallel to the sheath (col. 4, lines 1-20 and Fig. 1) wherein said plurality of wires are shielded from stray electrical energy that may be harmful to a patient by way of this insulative, tubular sheath (col. 1, lines 6-14). However, the tubular sheath (8) of Barsne is not equivalent to the recited foldable tube because the tubular sheath (8) does not bundle a plurality of signal wires together into one. Instead, the sheath (8) merely insulates the outer set of wires (2) from the inner set of wires (4). Thus, the sheath (8) does not bundle the plurality of signal wires together into one but instead separates one set of wires from another set of wires. Additionally, the inner set of wires (4) are not bundled together into one by the foldable tube because the inner set of wires (4) forms a longitudinal channel inside the cable (col. 4, lines 14-32). Thus, Barsne fails to teach or render obvious "a foldable tube for bundling the plurality of signal wires together into one," as recited in claim 7.

Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: May 11, 2010

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